

1 KAMALA D. HARRIS
Attorney General of California
2 JANICE K. LACHMAN
Supervising Deputy Attorney General
3 ANAHITA S. CRAWFORD
Deputy Attorney General
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Facsimile: (916) 327-8643
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013-799

13 **JOSEPH LESLIE ROY,**
14 **aka JOSEPH L. ROY**
15 **205 Rose Avenue**
16 **Alcoa, TN 37701**

ACCUSATION

17 **Registered Nurse License No. 730443**

18 **Respondent.**

19 **Complainant alleges:**

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
23 Department of Consumer Affairs.

24 2. On or about July 9, 2008, the Board issued Registered Nurse License Number 730443
25 to Joseph Leslie Roy, also known as Joseph L. Roy ("Respondent"). Respondent's registered
26 nurse license was in full force and effect at all times relevant to the charges brought herein and
27 will expire on October 31, 2013, unless renewed.

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1 Certificate #223573", the North Carolina Board suspended Respondent's license to practice
2 nursing in North Carolina based on the action taken by the Tennessee Board. A true and correct
3 copy of the Summary Action Order is attached as **exhibit B** and incorporated herein.

4 c. On or about April 11, 2012, pursuant to the Final Order in the disciplinary proceeding
5 titled "Department of Health vs. Joseph Leslie Roy", Case No. 2011-10929, the Florida Board
6 suspended Respondent's license to practice nursing in Florida based on the action taken by the
7 Tennessee Board. The Florida Board further ordered that Respondent's license shall remain
8 suspended until such time as he enters into the Intervention Project for Nurses (IPN) and complies
9 with any and all terms and conditions imposed by IPN. A true and correct copy of the Final
10 Order is attached as **exhibit C** and incorporated herein.

11 **PRAYER**

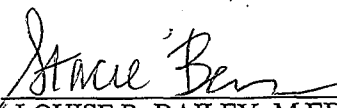
12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Registered Nursing issue a decision:

14 1. Revoking or suspending Registered Nurse License Number 730443, issued to Joseph
15 Leslie Roy, also known as Joseph L. Roy;

16 2. Ordering Joseph Leslie Roy, also known as Joseph L. Roy, to pay the Board of
17 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
18 pursuant to Business and Professions Code section 125.3;

19 3. Taking such other and further action as deemed necessary and proper.

20
21 DATED: MARCH 19, 2013

22 *for* 
23 LOUISE R. BAILEY, M.D., RN
24 Executive Officer
25 Board of Registered Nursing
26 Department of Consumer Affairs
27 State of California
28 Complainant

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EXHIBIT A

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Agreed Order, Tennessee Board of Nursing



TENNESSEE DEPARTMENT OF HEALTH
BUREAU OF HEALTH LICENSURE & REGULATION
OFFICE OF INVESTIGATIONS
HERITAGE PLACE, METRO CENTER
227 FRENCH LANDING, SUITE 201
NASHVILLE, TN 37243

TELEPHONE
1-800-852-2187

FACSIMILE
(615) 532-2499

March 9, 2012

I, Juanita K. Stone, Disciplinary Coordinator, do hereby certify that the attached Agreed Order entered on June 17, 2011, for Joseph L. Roy, R.N., license number 58979, is a true and correct copy of the disciplinary order on file in this Office.

Juanita K. Stone
Disciplinary Coordinator
Tennessee Department of Health
Investigations Division



RECEIVED
MAY 30 2012
BEFORE THE TENNESSEE BOARD OF NURSING

In The Matter of:)	
JOSEPH L. ROY)	Docket No. 17.19-101896A
R.N. License No. 58979)	
Highlands, North Carolina 28741)	
Respondent)	

AGREED ORDER

The State of Tennessee, by and through the Office of General Counsel and the Respondent, Joseph L. Roy, R.N., (Respondent), hereby stipulate and agree, subject to approval by the Tennessee Board of Nursing (Board), to the following:

I. Authority and Jurisdiction

The Board regulates and supervises nurses licensed to practice pursuant to the Tennessee Nursing Practice Act (Practice Act), Tennessee Code Annotated Section (TENN. CODE ANN. §) 63-7-101, *et seq.*, including the discipline of licensees, as well as those who are required to be licensed, who violate the Practice Act and the Rules promulgated by the Board, Official Compilation of Rules and Regulations of the State of Tennessee (TENN. COMP. R. & REGS.), 1000-1-.01, *et seq.* The Board enforces the Practice Act to promote and protect the health, safety and welfare of the public; accordingly, it is the policy of the Board to require strict compliance with the law and to apply the law to preserve the quality of nursing care provided in Tennessee.

Tennessee is a party state to the Interstate Nurse Licensure Compact. Pursuant to T.C.A. § 63-7-302 Article III (b), "Party states may, in accordance with state due process laws, limit or revoke the multistate licensure privilege of any nurse to practice in their state and may take any other actions under their applicable state laws necessary to protect the health and safety of their citizens." A party state may recover the costs of investigations and disposition of cases resulting

DATE: 03-08-2012

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ON FILE WITH THE TENNESSEE
BOARD OF NURSING.

SIGNED: Elizabeth B. Land 787

from adverse action taken against the nurse and may issue cease and desist orders to limit or revoke a nurse's authority to practice in their state. T.C.A. 63-7-302 Article VI (a) and (c).

II. Stipulations of Fact

1. Respondent was granted a license to practice as a registered nurse in the State of Tennessee by the Tennessee Board of Nursing (hereinafter "the Board") on September 22, 1982, having been granted license number 58979, which expires on September 30, 2011. This license is currently inactive. Respondent's Tennessee registered nurse license bears a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact. This privilege is currently void.
2. Respondent was granted a license to practice as a registered nurse in the State of North Carolina, license number 879523, by the North Carolina Board of Nursing on June 4, 2008, which expires on September 30, 2011. This license is currently active. Respondent's North Carolina registered nursing license bears a multistate privilege to practice nursing in states which have entered into the Interstate Nurse Licensure Compact. This privilege is currently active.
3. Respondent currently lives in North Carolina, but practices registered nursing in Johnson City, Tennessee.
4. From January 2005 to June 2006, Respondent was employed as a registered nurse at St. Mary's Hospital (St. Mary's) in Knoxville, Tennessee.
5. Respondent was alleged to have diverted narcotics and was asked to submit to a urine drug screen. He refused this request and as a result, was terminated from St. Mary's on or about June 14, 2006.

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BOARD OF NURSING.

SIGNED: [Signature], 2012

6. Respondent was employed as a registered nurse at Maryville Healthcare and Rehabilitation Center (Maryville) in Maryville, Tennessee, from December 2006 to November 2007.
7. Respondent was alleged to have administered medications without an order, which he denied. As a result of these allegations and the facility's investigation thereof, on or about November 28, 2007, Respondent was terminated from Maryville.
8. On June 14, 2006, after being terminated from St. Mary's, Respondent contacted the Tennessee Professional Assistance Program (TnPAP).
9. On January 14, 2008, Respondent was discharged from TnPAP for violating his monitoring agreement.

III. Stipulated Grounds for Discipline

10. The Stipulations of Fact are sufficient to establish that Respondent has violated the following statutes or rules which are part of the Act, TENN. CODE ANN. § 63-7-101, *et seq.* and TENN. COMP. R. & REGS., 1000-1-.01, *et seq.*, for which disciplinary action by the Board is authorized.
11. The facts stipulated in paragraphs five (5) and seven (7) constitute a violation of TENN. CODE ANN. § 63-7-115(a)(1):
 - (F) Is guilty of unprofessional conduct.
12. The facts stipulated in paragraphs five (5) and seven (7) constitute a violation of Rule 1000-1-.13(1) of the TENN. COMP. R. & REGS:
 - (e) Unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; and
 - (w) Engaging in acts of dishonesty which relate to the practice of nursing.

DATE: 03-08-2012

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BOARD OF NURSING.

SIGNED: [Signature]

IV. Stipulated Disposition

NOW THEREFORE, Respondent, for the purpose of avoiding further administrative action with respect to this cause, agrees to the following:

13. Respondent's multistate privilege to practice registered nursing in Tennessee is hereby immediately placed upon **SUSPENSION** for not less than two (2) years and until Respondent has completed the requirement in paragraph fourteen (14).
14. Respondent shall demonstrate evidence acceptable to the Board of two (2) years sobriety.
15. Respondent shall appear before the Board in order for this suspension to be lifted. At that time, the Board shall determine if the Respondent has demonstrated two (2) years of documented sobriety.
16. During the period of Suspension, Respondent shall maintain lawful conduct and any violation of law will be a violation of the terms of this Order.
17. Failure to comply with the terms and requirements of this Order shall constitute grounds for further disciplinary action.
18. Respondent understands that this is a formal disciplinary action and will be reported to the Health Integrity and Protection Data Bank and/or similar agency.

V. Notice

19. The Respondent, by his signature to this Agreed Order, waives the right to a contested case hearing and any and all rights to judicial review in this matter. Respondent agrees that presentation to and consideration of this Agreed Order by the Board for ratification and all matters divulged during that process shall not constitute unfair disclosure such that the Board or any of its members shall be prejudiced to the extent that requires their disqualification from

DATE: 03-08-2012

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BOARD OF NURSING.

SIGNED: Debra A. Land 787


hearing this matter should this Order not be ratified. Likewise, all matters, admissions and statements disclosed or exchanged during the attempted ratification process shall not be used against the Respondent in any subsequent proceeding unless independently entered into evidence or introduced as admissions.

20. Respondent expressly waives all further procedural steps and expressly waives all rights to seek judicial review of or to challenge or contest the validity of this Agreed Order. Respondent understands that by signing this Agreed Order, Respondent is allowing the Board to issue its order without further process. In the event that the Board rejects this Agreed Order for any reason, it will be of no force or effect for either party.

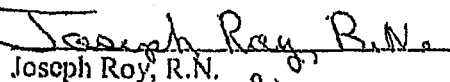
VI. Approval by the Board

21. Upon the agreement of the parties and the record as a whole, this **AGREED ORDER** was approved as a **FINAL ORDER** by a majority of a quorum of the Tennessee Board of Nursing at a public meeting of the Board and signed this 15th day of June, 2011.

ACCORDINGLY, IT IS ORDERED that the agreements of the parties will, and hereby do, become the Final Order of the Board.


Chairperson/Acting Chairperson
Tennessee Board of Nursing

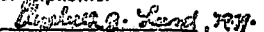
APPROVED FOR ENTRY:



Joseph Roy, R.N.
License No. 58979
Respondent. **BY COUNSEL**
LAWRENCE HART

5-11-2011
DATE


DATE: 03-08-2012

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ON FILE WITH THE TENNESSEE
BOARD OF NURSING.

SIGNED: , R.N.


Lawrence Hart, Esq., BPR #005739
Attorney for the Respondent
P.O. Box 160679
Nashville, Tennessee 37216
(615) 226-2600

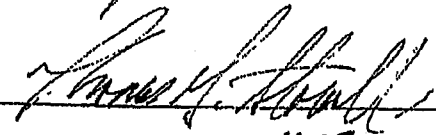
6-14-2011
DATE


Rachel Appelt, BPR #027988
Assistant General Counsel
Department of Health
220 Athens Way, Suite 210
Nashville, Tennessee 37243
(615) 741-1611

6/15/11
DATE

CERTIFICATE OF FILING

This Order was received for filing in the Office of the Secretary of State, Administrative Procedures Division, and became effective on the 15 day of June, 2011.

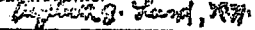

Thomas G. Stovall, Director
Administrative Procedures Division

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of this document has been served upon Respondent, Joseph L. Roy, by and through counsel, Lawrence H. Hart, P.O. Box 160679, Nashville, Tennessee 37216, by delivering same in the United States regular mail

DATE: 03-08-2012

I CERTIFY THIS TO BE A
TRUE COPY OF THE RECORDS
ON FILE WITH THE TENNESSEE
BOARD OF NURSING.

SIGNED: 

and United States certified mail, number 7010 2780 0001, return receipt
6631 3647
requested, with sufficient postage thereon to reach its destination.

This 20th day of June, 2011.

Rachel Appelt
Rachel Appelt
Assistant General Counsel

DATE: 03-08-2012

I CERTIFY THIS TO BE A
TRUE COPY OF THE RECORDS
ON FILE WITH THE TENNESSEE
BOARD OF NURSING.

SIGNED: Debra Land, RN

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EXHIBIT B

Summary Action Order, North Carolina Board of Nursing

**BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA**

In the Matter Involving:

Joseph L. Roy

SUMMARY ACTION ORDER

Registered Nurse Certificate # 223573

Pursuant to the authority vested by Article 9A, Chapter 90 of the General Statutes of North Carolina and Article 3A of Chapter 150B-38 of the General Statutes of North Carolina, the North Carolina Board of Nursing (hereafter known as the Board) issues the following **ORDER** based on action taken in the State of Tennessee.

1. Joseph L. Roy is the holder of North Carolina RN Certificate # 223573 which expires on September 30, 2011.
2. The North Carolina Board of Nursing received information from the Tennessee Board of Nursing, that indicated on June 15, 2011, Mr. Roy entered into an Agreed Order that suspended his multistage privilege to practice, as granted through the Nurse Licensure Compact for a minimum of two (2) years, and if and until he could provide evidence of two (2) years of documented sobriety.
3. The Agreed Order was based on information received from January 2005 to June 2006, while Mr. Roy was employed at St. Mary's Hospital in Knoxville, Tennessee, he was alleged to have diverted narcotics and when asked to submit to a urine drug screen, he refused. Due to his refusal, he was terminated.
4. On June 14, 2006, following termination, he was contacted by the Tennessee Professional Assistance Program (ThPAP) and he entered into a contract for monitoring. On January 14, 2008, Mr. Roy was discharged from ThPAP for violation of his monitoring agreement.
5. North Carolina General Statutes 90-171.37 and 21 NCAC 36.0217 (d) allows the North Carolina Board of Nursing to take **SUMMARY ACTION** against a licensee if a North Carolina licensee holds a license in another jurisdiction and receives action in that jurisdiction. The Board's policies allow the North Carolina Board of Nursing to summarily impose the same or lesser disciplinary action on a licensee's license upon receipt of the discipline action in another jurisdiction. Based on policy, actions may be taken if the Findings of Fact in the Final Order are found to be a violation of the North Carolina Nursing Practice Act.
6. If a nurse was terminated for possible drug diversion and was entered into a monitoring contract with the Board related to those allegations that would constitute a violation of the North Carolina Nursing Practice Act, had the act occurred in North Carolina.
7. Therefore, the North Carolina Registered Nurse license of Joseph L. Roy is hereby **SUSPENDED** and Mr. Roy must **IMMEDIATELY CEASE AND DESIST** from the practice of nursing in North Carolina.
8. In accordance with Chapter 150B of the General Statutes, the licensee is entitled to a "Show Cause" Hearing before a majority of the members of the Board to determine why the Board should not take further action.
9. The licensee is entitled to be represented by counsel and to present evidence and witnesses/testimony on the licensee's behalf.

CERTIFIED TRUE COPY

**BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA**

In the Matter Involving:

Joseph L. Roy

SUMMARY ACTION ORDER

Registered Nurse Certificate # 223573

10. Pursuant to North Carolina General Statute Section 150B-40(d), the licensee may not communicate, directly or indirectly, with any individual member of the Board about this matter. If the licensee or legal representative has questions, they should contact Donna H. Mooney, RN, Manager of Discipline Proceedings.
11. In the event the Board determines the Licensee has violated any of the conditions of this ORDER, and the Licensee disputes that such a violation of the conditions has occurred, then the Licensee agrees the Licensee must file such objection in writing with the Board **WITHIN TEN (10) BUSINESS DAYS** of the date of the notice of the violations to the Licensee. The notice to the Board shall contain with specificity the violations disputed.
12. When the Licensee has properly filed notice of objection with the Board, then the Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties. A Show Cause Hearing for a Summary Action is limited to:
 - a) showing that you are the person who had the action taken in the state of Tennessee
 - b) that the action, had it occurred in North Carolina, would also be a violation of our Nursing Practice Act
 - c) that the sanction that was imposed is consistent with the sanction that would be imposed if the act had occurred in North Carolina.
13. If the licensee is not contesting the violations contained in this ORDER, the licensee may request to appear before the Licensure Committee to petition for reinstatement of the license.
14. If the licensee is disputing the fact that the violations as alleged did occur, the licensee must file a written objection with the Board within ten (10) business days of the date of the notice of violations to Joseph L. Roy. The notice must contain with specificity the violations being disputed.
15. When the licensee has properly filed notice of objections with the Board, then the licensee will be notified of the exact date and time for the "Show Cause" Hearing. The Hearing will be held at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.
16. Failure to return the written objection within the designated time period will be construed to mean the licensee is not contesting the matter and all further proceedings to which the licensee is otherwise entitled by law are hereby waived.

The license will then remain suspended until the licensee requests in writing the opportunity to appear before the Licensure Committee to petition for reinstatement.
17. This ORDER to Suspend will be placed in the licensee's file and becomes a public record pursuant to the North Carolina Public Record Statute G.S. Chapter 132 and Board policy.

CERTIFIED TRUE COPY

BEFORE THE NORTH CAROLINA BOARD OF NURSING
OF THE STATE OF NORTH CAROLINA

In the Matter Involving:

Joseph L. Roy

SUMMARY ACTION ORDER

Registered Nurse Certificate # 223573

18. By not contesting the violations contained in this ORDER, the licensee is waiving the rights to a "Show Cause" Hearing, to challenge the validity of this ORDER and to any further proceedings to which the licensee may be entitled by law.
19. By contesting the violations contained in this ORDER, the licensee is requesting a "Show Cause" Hearing to be scheduled before a majority of the members of the Board.


The licensee understands that a written objection with the specific violations/charges being disputed must be received within ten (10) business days of the date of this notice.

When the licensee has properly filed notice of objection with the Board, then the Licensee will be provided a Hearing before the Board at the next scheduled Board meeting for which appropriate notice can be provided, or scheduled by consent of the parties.

20. In accordance with G.S. 90-171.27(d) and Board policy derived therefrom, a fee may be assessed for disciplinary matters. A Show Cause Hearing is considered a discipline action.

FAILURE TO RETURN THE ATTACHED PAGE WITHIN TEN (10) BUSINESS DAYS WILL RESULT IN THE LICENSEE WAIVING ALL RIGHTS TO CHALLENGE THE VALIDITY OF THIS ORDER OR TO ANY OTHER PROCEEDINGS TO WHICH THE LICENSEE MAY OTHERWISE BE ENTITLED BY LAW.

This the 8th day of August, 2011.



Julia L. George, RN, MSN, FRE
Executive Director
North Carolina Board of Nursing

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EXHIBIT C

Final Order, Florida Board of Nursing

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-12-0576-^{FOI} MOA
FILED DATE **APR 11 2012**
Department of Health
Angela Sanders
Deputy Agency Clerk

DEPARTMENT OF HEALTH,

Petitioner,

vs.

Case No.: 2011-10929

License No.: RN 9274500

JOSEPH LESLIE ROY,

Respondent.

FINAL ORDER

This matter appeared before the Board of Nursing at a duly-noticed public meeting on March 29, 2012 in Jacksonville, Florida, for a hearing not involving disputed issues of material fact pursuant to Respondent's Election of Rights requesting a hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes. Petitioner has filed an Administrative Complaint seeking disciplinary action against the license. A copy of the Administrative Complaint is attached to and made a part of this Final Order. Petitioner was represented by Casey Cowen, Assistant General Counsel, Florida Department of Health. Respondent was not present.

FINDINGS OF FACT

Therefore, the Board adopts as its finding of facts the facts set forth in the Administrative Complaint.

CONCLUSIONS OF LAW

Based upon the Findings of Fact, the Board concludes the

licensee has violated Section 464.018(1)(b), Florida Statutes.

The Board is empowered by Sections 464.018(2) and 456.072(2), Florida Statutes, to impose a penalty against the licensee. Therefore it is ORDERED that:

The licensee must pay investigative costs of \$166.45 within 12 months of the date of entry of this Order. Payment shall be made to the Board of Nursing and mailed to, DOH-Compliance Management Unit, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3276, Attention: Nursing Compliance Officer. Payment must be made by cashier's check or money order ONLY. Personal checks shall NOT be accepted.

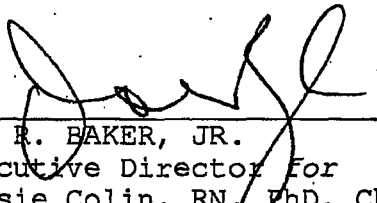
The license of JOSEPH LESLIE ROY is suspended and shall remain suspended until such time that he enters into the Intervention Project for Nurses (IPN) and complies with any and all terms and conditions imposed by IPN. At such time the suspension shall be stayed and remain stayed as long as the licensee participates in the IPN. It is the duty of the licensee to contact the IPN at P.O. Box 49130, Jacksonville Beach, Florida 32249-9130, (904) 270-1620 within 30 days from the date of entry of this order. The licensee shall comply with all conditions of the IPN Advocacy Contract or he will be in violation of the Board Order. Termination from IPN shall result in the immediate lifting of the stay of suspension. Reinstatement will require compliance with all terms and conditions set forth in this and

any previous Board Order, and the licensee's appearance before the Board to demonstrate his present ability to engage in the safe practice of nursing. The Board reserves the right to impose reasonable conditions of reinstatement at the time of appearance before the Board.

This Final Order shall become effective upon filing with the Clerk of the Department of Health.

DONE AND ORDERED this 10 day of April, 2012.

BOARD OF NURSING


JOE R. BAKER, JR.
Executive Director For
Jessie Colin, RN, PhD, Chair

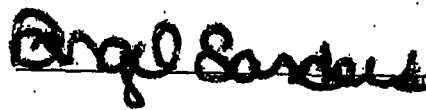
NOTICE OF APPEAL RIGHTS

Pursuant to Section 120.569, Florida Statutes, the parties are hereby notified that they may appeal this Final Order by filing one copy of a notice of appeal with the clerk of the department and by filing a filing fee and one copy of a notice of appeal with the District Court of Appeal within thirty days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to **JOSEPH LESLIE ROY**, 205 Rose Avenue, Alcoa, TN 37701 and **Intervention Project for**

Nurses, P.O. Box 49130, Jacksonville Beach, Florida 32240-9130;
by interoffice mail to **Lee Ann Gustafson**, Assistant Attorney
General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; and
Casey Cowen, Assistant General Counsel, Department of Health,
4052 Bald Cypress Way, Bin # C-65, Tallahassee, Florida 32399-
3265 on this 11 day of April, 2012.



Deputy Agency Clerk

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

DEPARTMENT OF HEALTH,

PETITIONER,

v.

CASE NO. 2011-10929

JOSEPH LESLIE ROY, R.N.,

RESPONDENT.

ADMINISTRATIVE COMPLAINT

COMES NOW, Petitioner, Department of Health, by and through its undersigned counsel, and files this Administrative Complaint before the Board of Nursing against Respondent, Joseph Leslie Roy, R.N., and in support thereof alleges:

1. Petitioner is the state department charged with regulating the practice of nursing pursuant to Section 20.43, Florida Statutes; Chapter 456, Florida Statutes; and Chapter 464, Florida Statutes.

2. At all times material to this Administrative Complaint, Respondent was a licensed registered nurse (R.N.) within the state of Florida, having been issued license number RN 9274500.

3. Respondent's address of record is 205 Rose Avenue, Alcoa, Tennessee 37701.

4. On or about June 17, 2011, the Tennessee Board of Nursing filed an Agreed Order which disciplined Respondent's nursing license.

5. The Tennessee Board of Nursing is the licensing authority for registered nurses in the State of Tennessee.

6. Section 464.018(1)(b), Florida Statutes (2010), provides that having a license to practice nursing revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory or country constitutes grounds for disciplinary action.

7. As set forth above, Respondent had a license to practice nursing revoked, suspended, or otherwise acted against when the Tennessee Board of Nursing filed an Agreed Order which disciplined Respondent's nursing license.

8. Based upon the foregoing, Respondent has violated Section 464.018(1)(b), Florida Statutes (2010), by having a license to practice nursing revoked, suspended, or otherwise acted against, including the

denial of licensure, by the licensing authority of another state, territory or country which constitutes grounds for disciplinary action.

WHEREFORE, the Petitioner respectfully requests that the Board of Nursing enter an order imposing one or more of the following penalties: permanent revocation or suspension of Respondent's license, restriction of practice, imposition of an administrative fine, issuance of a reprimand, placement of the Respondent on probation, corrective action, refund of fees billed or collected, remedial education and/or any other relief that the Board deems appropriate.

SIGNED this 22nd day of November, 2011.

H. Frank Farmer, Jr., MD, PhD, FACP
State Surgeon General



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PCP:
PCP Members:

Department of Health v. Joseph Leslie Roy, R.N.
Case Number 2011-10929
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NOTICE OF RIGHTS

Respondent has the right to request a hearing to be conducted in accordance with Section 120.569 and 120.57, Florida Statutes, to be represented by counsel or other qualified representative, to present evidence and argument, to call and cross-examine witnesses and to have subpoena and subpoena duces tecum issued on his or her behalf if a hearing is requested.

NOTICE REGARDING ASSESSMENT OF COSTS

Respondent is placed on notice that Petitioner has incurred costs related to the investigation and prosecution of this matter. Pursuant to Section 456.072(4), Florida Statutes, the Board shall assess costs related to the investigation and prosecution of a disciplinary matter, which may include attorney hours and costs, on the Respondent in addition to any other discipline imposed.